

MAINE STATE LEGISLATURE

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No. 742

H.P. 563

House of Representatives, February 13, 2007

An Act Concerning Wholesale Power Purchases by Consumer-owned Transmission and Distribution Utilities

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Senator SHERMAN of Aroostook and
Representative: JOY of Crystal.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3202, sub-§1**, as enacted by PL 1997, c. 316, §3, is
3 amended to read:

4 **1. Right to purchase generation.** Beginning on March 1, 2000, all consumers of
5 electricity have the right to purchase generation services directly from competitive
6 electricity providers, except as provided in subsection 7.

7 **Sec. 2. 35-A MRSA §3202, sub-§7** is enacted to read:

8 **7. Certain consumer-owned utility customers excepted.** A customer of a
9 consumer-owned transmission and distribution utility does not have the right to purchase
10 generation services directly from a competitive electricity provider when the consumer-
11 owned transmission and distribution utility has entered into a wholesale power purchase
12 contract or a standard-offer service contract that guarantees that its entire load will be
13 served by the wholesale electricity provider or standard-offer provider. A customer of a
14 consumer-owned transmission and distribution utility that is obligated by the terms of a
15 retail supply contract with a competitive electricity provider, other than the standard
16 offer, on the effective date of the wholesale power purchase contract or the standard-offer
17 service contract entered into by the consumer-owned transmission and distribution utility
18 maintains the right to purchase generation services under the terms of a retail supply
19 contract until the customer is no longer bound by the terms of the retail supply contract.

20 **SUMMARY**

21 This bill creates an exemption from the requirement that all customers of electricity
22 have the right to purchase generation services directly from competitive electricity
23 providers for customers of consumer-owned transmission and distribution utilities that
24 choose to enter into wholesale power purchase contracts or standard-offer service
25 contracts on behalf of all their customers, except customers who entered into separate
26 retail power purchase contracts before the effective date of the wholesale power purchase
27 contract.